SUPREME COURT OF THE UNITED STATES

HENRY JOSE ESPINOSA, PETITIONER *v.* FLORIDA

PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF FLORIDA

No. 91-7390. Decided June 29, 1992

JUSTICE SCALIA, dissenting.

For the reasons given in my opinion in *Sochor* v. *Florida*, 504 U. S. ___, ___ (1992) (slip op., at 1), I dissent from the Court's summary reversal of Espinosa's death sentence. Since the Florida courts found several constitutionally sound aggravating factors in this case, Espinosa's death sentence unquestionably comports with the "narrowing" requirement of *Furman* v. *Georgia*, 408 U. S. 238 (1972). Compliance with that requirement is the only special capital-sentencing procedure that the Eighth Amendment demands. See *Walton* v. *Arizona*, 497 U. S. 639, 669–673 (1990) (SCALIA, J., concurring in part and concurring in the judgment). I would deny the petition.